



USE RCE DATE 8/31/7

J. P. RCE

PTO/SB/30 (10-01)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/809,698
Filing Date	March 26, 2004
First Named Inventor	Daniel L. Nydegger
Art Unit	3728 Conf. No.: 8140
Examiner Name	Jacob K. Ackun
Attorney Docket Number	5165.1460

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Today's Date: August 31, 2007

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted

ii. ☒ Consider the arguments in the Amendment filed August 13, 2007

iii. ☐ Other _____

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2036 - total \$790.00

i. ☒ RCE fee of \$790.00 large entity required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee of (large entity) (37 CFR 1.136 and 1.17)

iii. ☒ Other: Any overpayments or deficiencies charge to Deposit Account 50-2036, Dkt. 5165.1460

b. ☐ Check in the amount of _____ (small entity) is enclosed:

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Barbara M. Flaherty	Registration No. (Attorney/Agent)	41,019
Signature	<i>Barbara M. Flaherty</i>	Date	August 31, 2007

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